10. (New) The method of claim 7, wherein the wavelength is less than or equal to 650 nm.

11. (New) The method of claim 7, wherein the alloy further comprises at least one a Cu or Cr in an amount ranging from 0.1 to 3.5 atomic %.

12. (New) The method of claim 11, wherein the wavelength is less than or equal to 650 nm.

13. (New) The method of claim 1, wherein the thin film has a thickness of less than about 1000 Angstroms.

14. (New) The method of claim 7, wherein the thin film has a thickness of less than about 1000 Angstroms.

Remarks

In response to the Office Action, the applicants hereby make the following response. Initially presented were claims 1 - 9, of which claims 1, 3, 5, 7, 8, and 9 were independent. Pursuant to an restriction and election dated 09 May 2000, the applicants elected claims 1, 2, and 7 for continued prosecution and reserved claims 3-6, 8, and 9 for a subsequent divisional. New claims 8-14 are presented for consideration as dependent claims. Accordingly, presently pending are now claims 1, 2, and 7-14 of which claims 1 and 7 are independent.

Claims 1 and 2 were rejected under section 102(e) under Nee (6,007,899). Claim 7 was rejected under section 102(e) under Ohno (6,004,646). In addition, claims 1 and 2 were rejected under section 103 by Nee '899 in view of In Re Aller, 105 USPQ 233 as merely claiming a range that has not been shown to be beyond the skill of the art. Claim 7 was rejected under section 103 by Ohno '646 in view of Takeoka (4,647,947) and in view of In Re Aller as claiming a range.

The present amendments include a light beam irradiation wavelength limitation. The art cited does not disclose this limitation expressly or in combination. Accordingly, the art no longer anticipates nor renders the claimed invention obvious.

New claims 8-14 are presented for consideration. Support may be found in other claims or in the specification (see e.g., pg. 16 for support for the thickness limitation).

The applicants also note that the Examiner cites In Re Aller, 220 F.2d 454, 105 USPQ 233 (CCPA 1955) for the proposition that for a:

> specific range of compositions, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have selected the portion of the prior art's range which is within the range of the applicant's claims because it has been held to be obvious to select a value in a known range by optimization for the best results.

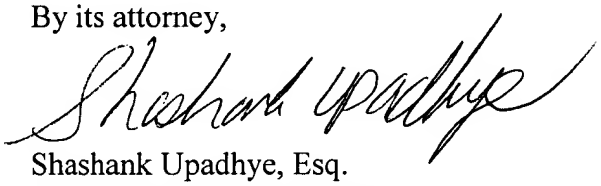
The applicants respectfully argue that the Examiner is misreading and misapplying the In Re Aller case. This case stands for the proposition that if a range is disclosed in the prior art, the later applicant cannot merely claim a range within the prior art range unless improvements or unexpected results can be shown. In Re Aller, 105 USPQ at 235. However in that same passage, the Court noted that the potentially claimed range refers to a range already disclosed in the art. It does not hold that the later claimed range is always obvious (unless unexpected results, etc. are shown) when there is no range disclosed in the art. See, In Re Geisler, 43 USPQ2d 1362, 1365 (Fed. Cir. 1997). Thus, the Examiner did not show that: (a) a range was found in the art; (b) the applicants attempted to claim a range; and (c) the applicants' range was within the range in the prior art. It is incorrect to assert that merely claiming a range in the absence of an express disclosure of a broader range in the art is *prima facie* obvious.

Conclusion

The applicants respectfully request withdrawal of the rejections and believe that the claims as presented represent allowable subject matter. However, if the Examiner desires, the applicants are ready for a telephone interview to expedite prosecution. As always, the Examiner is free to call the undersigned at 312-876-2622. The Examiner's attention is also drawn to the new correspondence address.

Respectfully submitted,

By its attorney,



Shashank Upadhye, Esq.
(Letter of recognition attached)

Date: 1-22, 2004

Shashank Upadhye, Esq.
SONNENSCHEIN NATH & ROSENTHAL
PO Box 061080
Wacker Drive Station, Sears Tower
Chicago, IL 60606-1080
312-876-2622